Letter from Harold Weisberg, his accomplishment and in records appeals 6/22/80

Deliberate stonewalling:
The Department's withholding of the FBI's 1977 "Ten to Fetz," [illegible]
Referrals
Department plea-bugs [illegible] and elsewhere [illegible]

In my 6/19/80 appeal I raised questions about how copies of two of my letters to Naval Intelligence service were provided in belated partial compliance by the Department's FOIA and by no other component. Attached to that appeal was one I had just written to the Criminal Division about its long-delayed partial compliance.

In the present part I received a number of communications from various agencies, allegedly in response to requests never identified and in at least one case from an agency of which - had never made any request. My inquiries elicited no meaningful responses, except with one agency, to which I had sent a copy of a completely incomprehensible/[illegible] from the National Security Council. From that one agency, DOD, I finally - after a partial explanation yesterday, a copy of it and my response are attached to this, and to the agency of which I had made no request.

From all, and from it alone, I learned that all of these communications not explained by any of the other agencies, not even when I inquired, are attributable to the Department's belated [illegible] of referrals from FBI in response to my 7/21/77 request. This is to say that the Department stonewalled for three [illegible] years - and still has not complied with either the [illegible] or [illegible].

This also is to say that the Department contemplates return of notes only as a means of [illegible] compliance [illegible] that [illegible] with my requests.

[illegible] Actually [illegible] referral [illegible] and [illegible] loss. It [illegible] stonewalling [illegible] continue [illegible] to [illegible] noncompliance still.

[illegible] of the [illegible] record. It is not a record generated by DOD. It is a record generated by the Secret Service. This record should have been provided by DOD at least months ago by Secret Service in response to my 1971 request of it.

Tenant Division did neither.

This gives the lie to the Department's representation - to cover stonewalling and stonewalling - that it was not withholding deliberately records it did not exist. In fact, the Department has provided us with deliberately false information of other agencies. The Department, while not contesting my sufficiently strong claim, has never withdrawn or corrected the misrepresentations.

This [illegible] change of activity by other agencies, in response to the 1976 request, increases the probability of belated law-saver action. In turn, that increases the probability of Department [illegible] have more fingers to stick, into another and ever circumstance it can misrepresent.

At the time it was stonewalling the Civil Division and other or my requests of it, for records on me or pertinent to the Kennedy and King assassinations, the Department, through its Civil Division, the FBI and JCS, was providing testimony to the Congress. One witness to be [illegible] has stated to Congress that the FBI and JCS had not acted on [illegible] of my requests.

The question of your own actions on my requests did not come up.

Now, for the [illegible], the response of its witness was forthcoming. He was polite in telling the truth. In [illegible] to me. [illegible] at still has not complied with these requests.

The Civil Division protested to the Judge on the merits of Congress's wife, which its witnesses did not name. It assured the Congress that it would do something. It did not. It has - its witnesses to possess over the years one additional stonewalling, inventing new points [illegible] to turn out, like misleading a Court [illegible] having no set as its commitment to my suit requiring the Department, for which it was to pay me. It ignored my consultancy report and its numerous and continuing to refuse to pay me. The cost of ignoring my report is greater, in litigation time alone. At the same time, as were necessary by c/b/o appeal requests, it persists in non compliance in response to my FOI request on still withholds records pertinent to the JFK case. However, by getting - indirectly, not from it - some of its records - this year, in response to my 1976 request -

already [illegible] consistent with [illegible] refusal of com-
pliance and of [illegible] other [illegible].

Of course I do [illegible] old and seriously unwell for five years and all this effort is devoted to frustrating my [illegible] requests [illegible] by an [illegible] percentage of a [illegible] was a [illegible] six lawyers [illegible] improperly withheld information only [illegible] suit. I [illegible] "leak" [illegible] my articles, [illegible] quoted [illegible] pertaining to my [illegible] in my case.

[illegible] it can't [illegible] I am not a [illegible] conspiracy theorist [illegible] the FBI and other agencies from their [illegible].

[illegible] it is the [illegible] of my information requests, all of which, consistent with [illegible] purposes, [illegible] functioning of federal agencies [illegible].

Although there may be a [illegible], if [illegible] explanation, in what I [illegible] letter to [illegible] one of the [illegible]. [illegible] it was a [illegible] and [illegible] to that investigation. [illegible].)

By [illegible], one [illegible] questions, [illegible] it was [illegible] agents. There were newspaper [illegible] stories [illegible] which [illegible] was confronted with proving a negative. One of the [illegible] the Department [illegible] successful efforts to [illegible] pertinent [illegible] Commission [illegible] session transcripts. The content of these transcripts, which I [illegible] to the press when I obtained them, is not favorable to the FBI.

In my first book, based on my prior experience in intelligence, I state that Oswald's career in the Marines, just before his defection, is consistent with intelligence work. When I reported this on a San Francisco talk-show broadcast in [illegible] I was interrupted by an old friend on the staff of a special CIA instrument in [illegible] who [illegible] a reported having been a Marine Corp counterpart of Oswald [illegible] that both carried top secret clearances.

In the Marine Corps he was a radar technician. Oswald's defection alarmed officers after he returned from Russia. Nothing [illegible] was done [illegible] the records [illegible] Oswald's record, particularly after his assassination. It did not appear any Oswald [illegible] at least not in the [illegible].

The official [illegible] given to Warren shows that he was on [illegible] a top secret [illegible] Oswald worked in it. It clearly does seem that Oswald did have top secret clearance, without which he could not have worked there.

[illegible] I have [illegible] this [illegible] in the information the author is [illegible] with I [illegible] and have found that the FBI included in a rather [illegible] report which [illegible] this. I [illegible] the testimony that officers [illegible] the [illegible] which [illegible] to know it. In stating that he prefer to do this work in a [illegible] Oswald had to have a top secret clearance. He was [illegible] at least [illegible] in Minsk [illegible] the Dragunov in a 1967 book.

[illegible] Oswald [illegible] that it was in [illegible] [illegible] Oswald [illegible] FBI reports [illegible] by CIA. [illegible] Oswald [illegible] but [illegible] not to mention [illegible] of the [illegible] books. [illegible] [illegible] Oswald's [illegible] [illegible]

[illegible] Oswald [illegible] Department. [illegible] in response

[illegible]